

RECEIVED

EIS002298

San Bernadino, CA 2/22/00
Exhibit 2-7 KES 2-5

FEB 22 2000

Corbin Harvey

WESTERN SHOSHONE NATION
DECLARATION OF A NUCLEAR FREE ZONE

1
continued on
page 2

WHEREAS, The people of the Western Shoshone Nation find the presence radioactive materials, nuclear power facilities and nuclear weapons facilities within the lands, the watershed or airshed of the lands of the Western Shoshone Nation, known in the Shoshone language as Newe Sogobia, as set forth in the Treaty of Ruby Valley of 1863, to be in conflict with the maintenance of the community's economic well-being, health, and general welfare; and,

WHEREAS, Nuclear weapons testing by the United States government on Western Shoshone lands, in direct conflict with Western Shoshone National Council law and policy, has left portions of Newe Sogobia scarred and permanently contaminated with radiation; and,

WHEREAS, The aforementioned nuclear weapons testing by the United States government on Western Shoshone lands has already caused widespread cancer, bringing illness and death to Western Shoshone, members of other Indian nations, and the non-Indian people of the Great Basin region; and,

WHEREAS, The United States government continues to contaminate Western Shoshone lands at the Nevada Test Site by importing and, dumping, radioactively and chemically contaminated soil and other waste products; and,

WHEREAS, The United States Geological Survey has found that the aquifer under the Beatty radioactive waste dump site is about to become contaminated with long-lived radionuclides, endangering drinking water on Western Shoshone lands; and,

WHEREAS, The government of the United States, against the expressed wishes of the Western Shoshone National Council, is proposing to store highly-irradiated fuel from commercial nuclear power plants, which will remain deadly for hundreds of thousands of years, at Yucca Mountain, within Western Shoshone lands; and,

WHEREAS, A high volume of truck transportation of radioactive wastes can be expected through the Western Shoshone Nation's lands and the surrounding region, increasing the likelihood of an accident and the rapid dispersal to the environment of deadly, long-lived radioactive wastes; and,

WHEREAS, The presence of radioactive waste dumps in the region, and the publicity surrounding it, will severely harm the economy of the Western Shoshone and neighboring peoples; and,

WHEREAS, Over 4,500 local communities throughout the world, 25 nations; and the regions of the Antarctic, Latin America and the South Pacific have been declared nuclear free zones; and,

WHEREAS, The National Council of the Western Shoshone encourages the development of clean, renewable energy resources in order to create jobs that maintain the traditional Native American values of care-taking and balance with natural creation; and,

WHEREAS, The National Council of the Western Shoshone encourages research into radioactive waste neutralization techniques and demands the stabilization and or clean up, if possible, of existing radioactive waste on the lands of the Western Shoshone Nation;

NOW, THEREFORE

2
continued on
page 3

SECTION 1. BE IT ORDAINED BY THE WESTERN SHOSHONE NATIONAL COUNCIL, That the following declaration be added to and made a part of the laws of the Western Shoshone Nation:

NUCLEAR FREE ZONE DEFINITIONS,

FOR THE PURPOSES OF THIS ARTICLE, THE FOLLOWING DEFINITIONS APPLY:

RADIOACTIVE MATERIALS ARE ANY RADIOACTIVE WASTE PRODUCTS OR MATERIALS GENERATED, REFINED OR MADE RADIOACTIVE BY ANY UNITED STATES GOVERNMENT AGENCY OR PURSUANT TO FEDERAL OR STATE GOVERNMENT CONTRACT OR LICENSE, AND INCLUDING THAT WHICH THE UNITED STATES NUCLEAR REGULATORY COMMISSION CLASSIFIED AS LOW-LEVEL RADIOACTIVE WASTE AS OF JANUARY 1, 1989, BUT WHICH MAY BE CLASSIFIED AS BELOW REGULATORY CONCERN WASTE AFTER THAT DATE. INUCLEAR WEAPON IS ANY DEVICE, THE PURPOSES OF WHICH IS THE USE AS A WEAPON, A WEAPON PROTOTYPE, OR A WEAPON TEST DEVICE, THE INTENDED DETONATION OF WHICH RESULTS FROM THE ENERGY RELEASED BY FISSION AND/OR FUSION REACTIONS INVOLVING ATOMIC NUCLEI. INUCLEAR WEAPON INCLUDES THE WEAPON'S GUIDANCE AND PROPELSION SYSTEM AND TRIGGERING MECHANISM, I.E., THE MEANS OF TRANSPORTING, GUIDING, PROPELLING, TRIGGERING, OR DETONATING THE WEAPON, PROVIDED THAT SUCH MEANS IS DESTROYED OR RENDERED USELESS IN THE NORMAL TRANSPORTING, PROPELLING, TRIGGERING, OR DETONATION OF THE WEAPON. IPERSON MEANS A NATURAL PERSON, AS WELL AS A CORPORATION, INSTITUTION, OR OTHER ENTITY.

PROHIBITION OF STORAGE, USE OR DISPOSAL OF RADIOACTIVE MATERIALS.

EXCEPT AS SPECIFICALLY EXEMPTED IN THIS ARTICLE, NO PERSON SHALL IMPORT, STORE, INCINERATE, TREAT, PROCESS, OR DISPOSE OF RADIOACTIVE MATERIALS, FOR ANY PURPOSE, WITHIN THE LANDS OF THE WESTERN SHOSHONE NATION, OR WITHIN LAND FILLS OR INCINERATORS OWNED OR LICENSED BY THE WESTERN SHOSHONE NATION.

PROHIBITION OF NUCLEAR WEAPONS WORK.

NO PERSON SHALL KNOWINGLY, WITHIN THE LANDS OF THE WESTERN SHOSHONE NATION, DESIGN, TEST, PRODUCE, LAUNCH, MAINTAIN, OR STORE NUCLEAR WEAPONS OR COMPONENTS OF NUCLEAR WEAPONS.

PROHIBITION OF NUCLEAR REACTORS.

NO PERSON SHALL CONSTRUCT, OPERATE, A NUCLEAR REACTOR WITHIN THE LANDS OF THE WESTERN SHOSHONE NATION.

PROHIBITION OF URANIUM AND MILLING.

NO PERSON SHALL CONSTRUCT OR OPERATE A URANIUM MINE OR MILLING OPERATION WITHIN THE LANDS OF THE WESTER SHOSHONE NATION.

MIGRATION OF RADIOACTIVE MATERIALS.

2
continued

NO PERSON OR OTHER NATION SHALL ALLOW THE MIGRATION OF RADIOACTIVE MATERIALS FROM NEIGHBORING LANDS INTO THE LANDS OF THE WESTERN SHOSHONE NATION.

NUCLLEAR FREE ZONE SIGNS.

THE WESTERN SHOSHONE NATIONAL COUNCIL SHALL POST AND MAINTAIN APPROPRIATE SIGNS AT ALL RECOGNIZED ENTERANCES TO THE LANDS OF THE WESTERN SHOSHONE NATION, AT ENTERANCES TO THE YUCCA MOUNTAIN FACILITY AND THE NEVADA NUCLEAR TEST SITE, AND THE NATIONAL COUNCIL OFFICE IN CACTUS SPRINGS, PROCLAIMING THE WESTERN SHOSHONE NATION'S STATUS AS A NUCLEAR FREE ZONE.

ENFORCEMENT

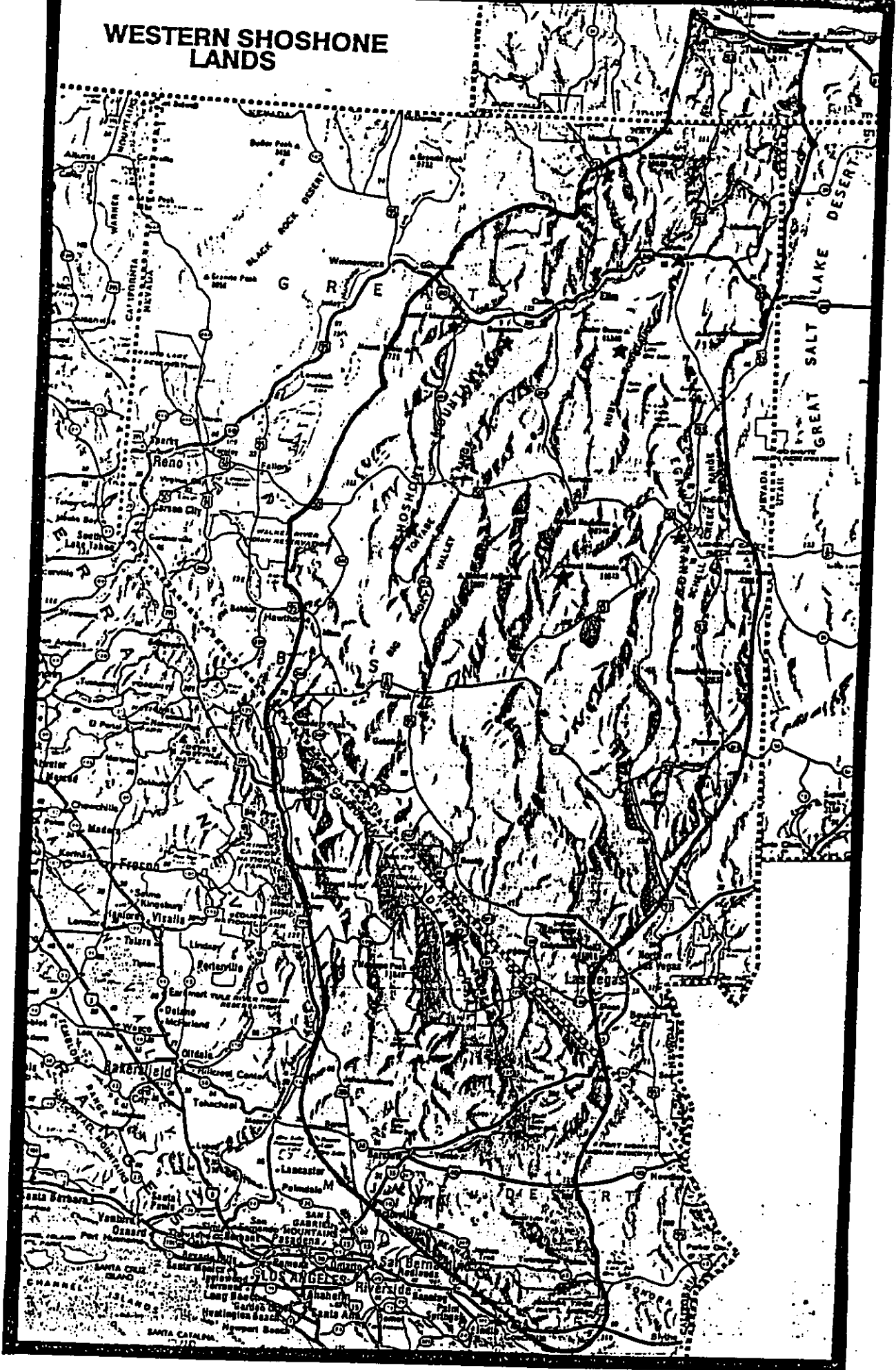
EACH VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A \$1,000,000 FINE. EACH DAY OF VIOLATION SHALL BE DEEMED A SEPARATE VIOLATION. ENFORVEMENT WILL BE BY A DULY AUTHORIZED AGENT OF THE WESTERN SHOSHONE NATION.

THIS DECLARARION IS HEREBY ENACTED ON THIS 2ND DAY OF DECEMBER, 1995 BY CONSENSUS OF THE WESTERN SHOSHONE NATIONAL COUNCIL.

RAYMOND D. YOWELL, CHIEF

ATTACHMENTS: BOUNDARY DESCRIPTION AND MAP OF NEWE SOGOBIA AS DEFINED BY THE WESTERN SHOSHONE NATIONAL COUNCIL.

WESTERN SHOSHONE LANDS



EIS002298